

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

PETER ODONGO,)	
)	
Plaintiff,)	
)	
v.)	No. 1:16-cv-02422-SEB-MJD
)	
CEVA LOGISTICS, U.S., INC.,)	
PAUL FOX in his individual capacity as)	
CEVA Kit Supervisor,)	
)	
Defendants.)	

**ORDER DENYING PLAINTIFF’S MOTION TO EXCEED RESPONSE BRIEF
PAGES AND DENYING AS MOOT PLAINTIFF’S MOTION FOR EXTENSION
OF TIME**

Currently before the Court are Plaintiff’s Motion to Exceed Response Brief Pages [Docket No. 125] and Motion for Extension of Time to Entirely Complete Response Brief to Summary Judgment and File Complete Affidavit [Docket No. 126], both filed on December 22, 2017. Plaintiff Peter Odongo, proceeding *pro se*, brings this action against Defendants CEVA Logistics U.S., Inc. (“CEVA”) and Paul Fox, in his individual capacity as CEVA Kit Supervisor, alleging that Defendants subjected him to a hostile work environment, discriminated against him, and terminated him because of his national origin and race, and retaliated against him for engaging in protected activity, in violation of Title VII of the Civil Rights Act of 1964 and 42 U.S.C. § 1981. Defendants moved for summary judgment on Mr. Odongo’s claims on October 5, 2017, and, on the same day filed a 32-page brief in support of their motion.

On November 1, 2017, Mr. Odongo moved for an extension of time to respond to Defendants' summary judgment motion. On November 16, 2017, the Court granted in part Mr. Odongo's request, extending his response deadline to November 28, 2017. On November 27, 2017, Mr. Odongo moved for a second extension of time. The Court granted this motion on November 28, 2017, extending his response deadline to December 22, 2017 and instructing Mr. Odongo that "no further enlargement of this deadline will be granted." Dkt. 120. However, on December 19, 2017, the Court granted Defendants' motion for an extension of time to respond to Plaintiff's discovery requests, and, in turn, also extended Plaintiff's deadline for responding to Defendants' summary judgment motion to January 8, 2018, again advising that "no further enlargement of these deadlines will be granted." Dkt. 122.

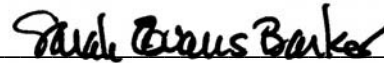
On December 22, 2017, Mr. Odongo filed an 87-page response to Defendants' motion for summary judgment. On that same day, he filed his motion to exceed response brief pages, (Dkt. 125), and a third motion for extension of time through January 5, 2018 in order "to entirely complete [his] response brief to summary judgment and file [a] complete affidavit." Dkt. 126. Defendants do not oppose Plaintiff's motion for extension of time, but do oppose his request to file an oversized brief.

This is a single plaintiff case involving fairly standard employment discrimination and retaliation claims. Accordingly, we see no reason or justification for extending the response page limit beyond the 35-page limit provided in the Local Rules. Accordingly, Mr. Odongo's motion to exceed response brief pages is DENIED. Because this Court has already extended Mr. Odongo's response brief deadline to January 8, 2018, three days

beyond his current request, we DENY AS MOOT his motion requesting a January 5, 2018 deadline. Plaintiff is therefore hereby ordered to file on or before January 8, 2018 an amended response brief that complies with Local Rule 7-1's 35-page limit. No further enlargements of this deadline will be permitted.

IT IS SO ORDERED.

Date: 12/29/2017



SARAH EVANS BARKER, JUDGE
United States District Court
Southern District of Indiana

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